

# House File 454

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HOUSE FILE 454

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1 3 AN ACT  
1 4 RELATING TO MANDATORY UNIVERSAL NEWBORN AND INFANT HEARING  
1 5 SCREENING.  
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1 7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
1 8  
1 9 DIVISION XV  
1 10 UNIVERSAL NEWBORN AND INFANT HEARING SCREENING  
1 11 Section 1. NEW SECTION. 135.131 UNIVERSAL NEWBORN AND  
1 12 INFANT HEARING SCREENING.  
1 13 1. For the purposes of this section, unless the context  
1 14 otherwise requires:  
1 15 a. "Birth center" means birth center as defined in section  
1 16 135.61.  
1 17 b. "Birthing hospital" means a private or public hospital  
1 18 licensed pursuant to chapter 135B that has a licensed  
1 19 obstetric unit or is licensed to provide obstetric services.  
1 20 2. Beginning January 1, 2004, all newborns and infants  
1 21 born in this state shall be screened for hearing loss in  
1 22 accordance with this section. The person required to perform  
1 23 the screening shall use at least one of the following  
1 24 procedures:  
1 25 a. Automated or diagnostic auditory brainstem response.  
1 26 b. Otoacoustic emissions.  
1 27 c. Any other technology approved by the department.  
1 28 3. Beginning January 1, 2004, a birthing hospital shall  
1 29 screen every newborn delivered in the hospital for hearing  
1 30 loss prior to discharge of the newborn from the birthing  
1 31 hospital. A birthing hospital that transfers a newborn for  
1 32 acute care prior to completion of the hearing screening shall  
1 33 notify the receiving facility of the status of the hearing  
1 34 screening. The receiving facility shall be responsible for  
1 35 completion of the newborn hearing screening. The birthing  
2 1 hospital or other facility completing the hearing screening  
2 2 under this subsection shall report the results of the  
2 3 screening to the parent or guardian of the newborn and to the  
2 4 department in a manner prescribed by rule of the department.  
2 5 4. Beginning January 1, 2004, a birth center shall refer  
2 6 the newborn to a licensed audiologist, physician, or hospital  
2 7 for screening for hearing loss prior to discharge of the  
2 8 newborn from the birth center. The hearing screening shall be  
2 9 completed within thirty days following discharge of the  
2 10 newborn. The person completing the hearing screening shall  
2 11 report the results of the screening to the parent or guardian  
2 12 of the newborn and to the department in a manner prescribed by  
2 13 rule of the department.  
2 14 5. Beginning January 1, 2004, if a newborn is delivered in  
2 15 a location other than a birthing hospital or a birth center,  
2 16 the physician or other health care professional who undertakes  
2 17 the pediatric care of the newborn or infant shall ensure that  
2 18 the hearing screening is performed within three months of the  
2 19 date of the newborn's or infant's birth. The physician or  
2 20 other health care professional shall report the results of the  
2 21 hearing screening to the parent or guardian of the newborn or  
2 22 infant and to the department in a manner prescribed by rule of  
2 23 the department.  
2 24 6. A birthing hospital, birth center, physician, or other  
2 25 health care professional required to report information under  
2 26 subsection 3, 4, or 5, shall report all of the following  
2 27 information to the department relating to a newborn's or  
2 28 infant's hearing screening, as applicable:  
2 29 a. The name, address, and telephone number, if available,  
2 30 of the mother of the newborn or infant.  
2 31 b. The primary care provider at the birthing hospital or  
2 32 birth center for the newborn or infant.  
2 33 c. The results of the hearing screening.  
2 34 d. Any rescreenings and the diagnostic audiological  
2 35 assessment procedures used.  
3 1 7. The department may share information with agencies and  
3 2 persons involved with newborn and infant hearing screenings,  
3 3 follow-up, and intervention services, including the local  
3 4 birth-to-three coordinator or similar agency, the local area  
3 5 education agency, and local health care providers. The

3 6 department shall adopt rules to protect the confidentiality of  
3 7 the individuals involved.

3 8 8. An area education agency with which information is  
3 9 shared pursuant to subsection 7 shall report all of the  
3 10 following information to the department relating to a  
3 11 newborn's or infant's hearing, follow-up, and intervention  
3 12 services, as applicable:

3 13 a. The name, address, and telephone number, if available,  
3 14 of the mother of the newborn or infant.

3 15 b. The results of the hearing screening and any  
3 16 rescreenings, including the diagnostic audiological assessment  
3 17 procedures used.

3 18 c. The nature of any follow-up or other intervention  
3 19 services provided to the newborn or infant.

3 20 9. This section shall not apply if the parent objects to  
3 21 the screening. If a parent objects to the screening, the  
3 22 birthing hospital, birth center, physician, or other health  
3 23 care professional required to report information under  
3 24 subsection 3, 4, or 5 to the department shall obtain a written  
3 25 refusal from the parent, shall document the refusal in the  
3 26 newborn's or infant's medical record, and shall report the  
3 27 refusal to the department in the manner prescribed by rule of  
3 28 the department.

3 29 10. A person who acts in good faith in complying with this  
3 30 section shall not be civilly or criminally liable for  
3 31 reporting the information required to be reported by this  
3 32 section.

3 33 Sec. 2. NEW SECTION. 135B.18A UNIVERSAL NEWBORN AND  
3 34 INFANT HEARING SCREENING.

3 35 Beginning January 1, 2004, a birthing hospital as defined  
4 1 in section 135.131 shall comply with section 135.131 relating  
4 2 to universal newborn and infant hearing screening.

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CHRISTOPHER C. RANTS  
Speaker of the House

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MARY E. KRAMER  
President of the Senate

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I hereby certify that this bill originated in the House and  
is known as House File 454, Eightieth General Assembly.

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MARGARET THOMSON  
Chief Clerk of the House

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Approved \_\_\_\_\_, 2003

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THOMAS J. VILSACK  
Governor